

On August 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7469. Misbranding of Gray's Ointment. U. S. \* \* \* v. 11 Dozen Packages of Gray's Ointment. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11140. I. S. No. 15895-r. S. No. E-1678.)

On August 26, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen packages of Gray's Ointment, consigned on or about August 11, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Dr. W. F. Gray & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a compound of lead, linseed oil, wax, and turpentine.

Misbranding of the article was alleged in the libel for the reason that the following statements, appearing in the circular accompanying the article, regarding the curative and therapeutic effects thereof, were false and fraudulent, as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed: "Gray's \* \* \* Ointment \* \* \* For the relief of Mercurial and other Ulcers of long or short standing;" "\* \* \* Scrofulous and other Tumors, including White Swellings, Sore Legs, \* \* \* Old or Fresh Wounds, Gunshot Wounds;" " \* \* \* Swellings and Inflammation of all kinds;" "Rheumatic and other Pains;" "Scalds and Burns;" "\* \* \* Tetter on the head or any other part of the body;" "\* \* \* Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds;" "\* \* \* Dog, Snake, Spider, and other Poisonous Bites;" "Broken Breasts, Sore Nipples;" "\* \* \* Weak Loins, Limbs, Muscles;" "Injured Spine;" "Sore Eyes, Swellings of all kinds;" "\* \* \* Sore Throat;" "\* \* \* in Pleurisy and Pneumonia, it is unequalled;" "\* \* \* Wind Galls, Sore Back, Cracked Heel, Fistula, and in fact almost every other External disease that afflicts man or brute. \* \* \*;" "For an Ulcer, Tumor or Eruption;" "\* \* \* In early stages of Inflammatory Rheumatism and Soreness about the Breast \* \* \*." (Similar statements in German and Spanish.)

On October 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7470. Misbranding of rice bran. U. S. \* \* \* v. 4,400 Sacks of Rice Bran. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10559. I. S. Nos. 13280-r, 13281-r. S. No. E-1527.)

On June 16, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4,400 sacks of rice bran, remaining unsold in the original unbroken packages at Jamestown, N. Y., alleging that the article had been shipped

during the months of October and December, 1918, and January, 1919, by the Louisiana State Rice Milling Co., New Orleans, La., and transported from the State of Louisiana into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement borne on the labels on the sacks, to wit, "143 Pounds," was false and misleading, in that the sacks contained less than 143 pounds, and for the further reason that the statements borne on the labels deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1919, the Grandin Milling Co., Inc., Jamestown, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$75, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7471. Misbranding of rice bran. U. S. \* \* \* v. 400 Sacks of Rice Bran. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10560. I. S. No. 13282-r. S. No. E-1528.)**

On June 16, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of rice bran, remaining unsold in the original unbroken packages at Jamestown, N. Y., alleging that the article had been shipped on January 2, 1919, January 4, 1919, January 10, 1919, and January 11, 1919, by the Beaumont Rice Mills, Beaumont, Tex., and transported from the State of Texas into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement borne on the labels on the sacks, to wit, "143 Pounds," was false and misleading, in that the sacks contained less than 143 pounds, and for the further reason that the statements borne on the labels deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1919, the Grandin Milling Co., Inc., Jamestown, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7472. Misbranding of Tisit. U. S. \* \* \* v. 6 Dozen Packages of Tisit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10562. I. S. No. 15000-r. S. No. E-1534.)**

On June 16, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Tisit, consigned by S. Pfeiffer Mfg. Co., East St. Louis, Ill., remaining unsold in the original unbroken packages at Chester, Pa., alleging that the article had been shipped on or about June 20,